

REMARKS

Claims 1-19 remain pending in this application. Claims 3-6, 9, 10, 13, 14 and 17 are allowed. Claims 1, 2, 7, 8, 11, 12, 15, 16, 18 and 19 are rejected. Claims 1, 2, 7, 8, 11, 12, 15, 16 and 19 are amended herein to clarify the invention, to express the invention in alternative wording and to address matters of form unrelated to substantive patentability issues.

Applicant herein traverses and respectfully requests reconsideration of the rejection of the claims cited in the above-referenced Office Action.

Claims 1, 2, 7, 8, 11, 15, 16 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Keim et al. (US 5,603,984). Applicant herein respectfully traverses these rejections. "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" ***Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.***, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added) . It is respectfully submitted that the cited reference is deficient with regard to the following.

Independent claim 1 is amended, and recites in pertinent part the following:

an appropriating apparatus including structure
defining channels via which media having differing

characteristics are made available to said spraying place; and

at least one control apparatus interposed between the appropriating apparatus and the spraying place, said control apparatus including bores appropriately configured to provide selective communication between said at least one spraying nozzle and a corresponding one or ones of the channels supplying a desired one or ones of the media, for controlling supply of said desired one or ones of the media to said at least one spraying nozzle

According to amended claim 1, by appropriate configuration of bores within a control device interposed between an appropriating apparatus and at least one nozzle, selective communication can be established between the at least one nozzle and a desired one or ones of the channels of the appropriating apparatus at which media are made available. It is respectfully submitted that the cited Keim et al. reference fails to teach or suggest such claimed subject matter. The switching valve 62 in Keim et al. merely serves to block or allow flow of a working medium when operated by control air pressure, in order to protect against loss of fluid in the event

of control system failure (see e.g., Col. 9, line 60- col. 10, line 27), and can provide no selectivity between available media for supply to the spray nozzle.

In view of the above, it is respectfully submitted that claims 1, 2, 7, 8, 11, 15, 16 and 19 particularly describe and distinctly claim elements not disclosed in the cited reference. Therefore, reconsideration of the rejections of claims 1, 2, 7, 8, 11, 15, 16 and 19 and their allowance are respectfully requested.

Claims 12 and 18 are rejected as obvious over Keim et al. under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

It is respectfully submitted that the Keim et al. reference cannot render the rejected claim obvious because the reference does not provide the teaching noted above with respect to the anticipation rejection of claim 1, from which both rejected claims depend. Thus, the reference fails to teach or suggest all the claim limitations. Therefore, reconsideration of the rejection of claims 12 and 18 and their allowance are respectfully requested.

A Request for Continued Examination is filed concurrently herewith, in which Applicant respectfully requests a two (2) month extension of time for responding to the final Office Action mailed March 18, 2008.

The USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
JORDAN AND HAMBURG LLP

By Frank J. Jordan
Frank J. Jordan
Reg. No. 20,456
Attorney for Applicant

and,

By Lawrence Wechsler
Lawrence Wechsler
Reg. No. 36,049
Attorney for Applicant

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340

enc: RCE